

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEROY COLLINS,

Plaintiff,

v.

PATRICK HENDRIX, et al,

Defendants.

Case No. 2:15-cv-01696-JCM-CWH

ORDER

Presently before the Court is Defendants' motion to strike (ECF No. 32), filed on March 6, 2017. Pro se Plaintiff Leroy Collins filed a response (ECF No. 34) on March 17, 2017. Defendants have not filed a reply.

Defendants move the Court to strike Plaintiff's reply to the second amended complaint (ECF No. 31), arguing that the Federal Rules of Civil Procedure do not allow for a reply to a complaint except when ordered by the Court. No such order has been made in this case. Plaintiff concedes these facts, but argues that the Court may use its discretion and allow for the reply. Construing Plaintiff's filings liberally, the Court will treat Plaintiff's response to the instant motion as a request for leave to file a reply to the second amended complaint.

Upon review, Plaintiff has not provided the Court with good cause to allow for a reply to the second amended complaint. Plaintiff does not provide any particular reason that the reply is necessary, and it merely reiterates the arguments already made in the second amended complaint. The Court is aware of these arguments and will give them their due consideration. Plaintiff will have further opportunity to develop these arguments during the dispositive motion phase of litigation. Therefore, there is no need for the Court to entertain a reply to the second amended complaint.

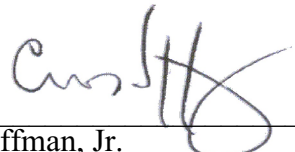
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1 IT IS THEREFORE ORDERED that Defendant's motion to strike (ECF No. 32) is
2 GRANTED. The Clerk shall STRIKE Plaintiff's reply to the second amended complaint (ECF No.
3 31).

4 DATED: March 21, 2017.

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7 C.W. Hoffman, Jr.
United States Magistrate Judge
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